

MEMORANDUM

Agenda Item No. 11(A)(9)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 22, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution supporting SB 66,
HB 113 or similar legislation
that would authorize the levy
of a discretionary sales surtax
of up to one-half cent for the
benefit of Miami Dade College
and Florida International
University upon approval by a
majority of county electors
voting in a referendum; urging
the Florida Legislature to pass
such legislation

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 11(A)(9)

10-22-13

RESOLUTION NO. _____

RESOLUTION SUPPORTING SB 66, HB 113 OR SIMILAR LEGISLATION THAT WOULD AUTHORIZE THE LEVY OF A DISCRETIONARY SALES SURTAX OF UP TO ONE-HALF CENT FOR THE BENEFIT OF MIAMI DADE COLLEGE AND FLORIDA INTERNATIONAL UNIVERSITY UPON APPROVAL BY A MAJORITY OF COUNTY ELECTORS VOTING IN A REFERENDUM; URGING THE FLORIDA LEGISLATURE TO PASS SUCH LEGISLATION

WHEREAS, Miami Dade College is a state-supported college with eight (8) campuses and numerous outreach centers; and

WHEREAS, Miami Dade College is both one of the largest and one of the most highly regarded institutions of higher education in the United States; and

WHEREAS, approximately 90 percent of Miami Dade College students stay in the South Florida region and contribute to the local economy after they leave the college; and

WHEREAS, Florida International University has a student body of nearly 50,000, and is among the top ten (10) largest universities in the nation; and

WHEREAS, Florida International University has graduated more than 200,000 alumni, 115,000 of which live and work in South Florida; and

WHEREAS, in 2008, more than 61 percent of voters in Miami-Dade County supported a proposed amendment to the Florida Constitution that would have allowed a state sales surtax increase for community colleges; and

WHEREAS, despite strong support in Miami-Dade County, the amendment failed to get enough votes statewide for passage; and

WHEREAS, bills were considered during the 2013 session, SB 1718 by Senator Anitere Flores (R-Miami) and HB 1295 by Representative Erik Fresen (R-Miami), that would have authorize the levy of a discretionary sales surtax of up to one-half cent for the benefit of Miami Dade College and Florida International University upon approval by a majority of county electors voting in a referendum; and

WHEREAS, SB 1718 passed the Senate by a vote of 37-1, but died in messages to the House when the House did not take up the bill before the 2013 session ended; and

WHEREAS, companion bills have been filed for consideration during the 2014 session, SB 66 by Senator Flores and HB 113 by Representative Fresen that would authorize the levy of a discretionary sales surtax of up to one-half cent for the benefit of Miami Dade College and Florida International University upon approval by a majority of county electors voting in a referendum; and

WHEREAS, SB 66 and HB 113 would require an ordinance to be adopted by this Board that would call the countywide vote and outline a plan for permissible uses of surtax proceeds developed by the institution's board of trustees; and

WHEREAS, SB 66 and HB 113 provide that proceeds from the surtax must be set aside and invested as permitted by law, with the principal and income used for such purposes as academic workforce training programs, capital expenditures, infrastructure projects and campus fixed capital costs; and

WHEREAS, SB 66 and HB 113 further provide that proceeds from the surtax may be used by Florida International University for land acquisition for parcels that are contiguous with its existing main campus; and

WHEREAS, this Board supports passage of SB 66, HB 113 or similar legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Supports SB 66, HB 113 or similar legislation that would authorize the levy of a discretionary sales surtax of up to one half cent for the benefit of Miami Dade College and Florida International University upon approval by a majority of county electors voting in a referendum.

Section 2. Urges the Florida Legislature to pass such legislation.

Section 3. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, Senator Anitere Flores, Representative Erik Fresen and the Chair and remaining Members of the Miami-Dade State Legislative Delegation.

Section 4. Directs the County's state lobbyists to support the legislation set forth in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2014 state legislative package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of October, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty